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SOFTWARE AG, INC. and SOFTWARE AG,

Plaintiffs,

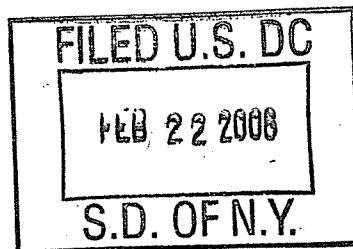
-against-

CONSIST SOFTWARE SOLUTIONS, INC.,
f/k/a CONSIST INTERNATIONAL, INC.,
and NATALIO FRIDMAN,

Defendants.
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: 08 CV 389 (CM) (FM)

: **NOTICE OF APPEAL**



PLEASE TAKE NOTICE that defendants Consist Software Solutions, Inc. f/k/a Consist International, Inc. and Natalio Fridman (collectively "Consist") hereby appeal to the United States Court of Appeals for the Second Circuit from the "Decision and Order Granting Plaintiffs' Motion for Preliminary Injunction" (the "Preliminary Injunction Order") of the District Court for the Southern District of New York (McMahon, J.), dated February 21, 2008. A copy of the February 21, 2008 Preliminary Injunction Order is annexed hereto as Exhibit 1. A copy of the January 16, 2008 Temporary Restraining Order hearing transcript is annexed hereto as Exhibit 2. A true and correct copy of the January 24, 2008 Preliminary Injunction hearing transcript is annexed hereto as Exhibit 3.

Dated: New York, New York,
February 22, 2008

SULLIVAN & CROMWELL LLP

By: John L. Warden *by permission MAT*
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-and-